

VZCZCXRO4255
RR RUEHMA RUEHPA
DE RUEHNM #0511/01 1911212
ZNR UUUUU ZZH
R 101212Z JUL 09
FM AMEMBASSY NIAMEY
TO RUEHC/SECSTATE WASHDC 5184
INFO RUEHZK/ECOWAS COLLECTIVE
RHMFISS/HQ USAFRICOM STUTTGART GE
RUEAIIA/CIA WASHINGTON DC
RHEFDIA/DIA WASHINGTON DC
RUEHLMC/MCC WASHDC

UNCLAS SECTION 01 OF 02 NIAMEY 000511

DEPT FOR AF/W AND AF/RSA
PLS PASS TO USAID FOR AFR/W
ACCRA ALSO FOR USAID/WA
PARIS FOR AFRICA WATCHER

SIPDIS
SENSITIVE

E.O. 12958: N/A
TAGS: [PGOV](#) [KDEM](#) [SOCI](#) [NG](#)
SUBJECT: Dinner with KEY OPPOSITION LEADER

NIAMEY 00000511 001.2 OF 002

1. (SBU) Introduction and Summary: On July 7, Ambassador Allen hosted Sanoussi Tambari Jackou, President of the opposition Nigerien Party for Self-Reliance (PNA), and other senior party officials for a dinner.. Jackou criticized the non-interactive introduction of the draft constitution he believes would further consolidate President Tandja's power. He regarded President Tandja as having usurped power and said the dismissal of the National Assembly was based on a pretext designed to end efforts to check his quest for power. Jackou disagreed with opposition political party resignations from the elections commission, arguing that remaining within the body to ensure subsequent elections were administered properly was more important than demonstrating pique. Finally, the conversation included calls for increased pressure from the international community mixed with the assertion that Nigeriens themselves needed to stand up to the current, untenable political situation. End introduction and summary.

New Constitution Requires Brains, Time, and Popular Support

2. (SBU) Jackou was critical of President Tandja, stating that he was careless in the way he drafted the proposed constitution. Jackou described the year-long process that was undertaken by Nigeriens in 1987, when they drafted a National Charter that laid the foundation for the 1989 constitution. He described how the documents were disseminated throughout the country, presented and discussed in all national languages, amended from the village to the district level, then finalized at the national level before their adoption by referendum as the law of the land. Jackou concluded that President Tandja's motive behind the constitutional referendum was not to strengthen democratic principles, but rather to remain in power for life.

3. (SBU) Jackou viewed the draft constitution's provision of a second legislative body, a senate composed of 60 members, of whom 20 would be appointed by the president and 40 selected through district councils, was a bad idea. President Tandja, he thought, favored two houses to provide additional government mechanisms through which to apply pressure to move decisions through the political process. Under the new constitution, which called for a presidential system rather than the current semi-presidential one, the president would become head of state and head of government, functions that now are split with the prime minister. Finally, Jackou observed that Tandja had come to power through a previous coup as a colonel in the armed forces, rather than rising through political party ranks, emphasizing Tandja's Mauritanian roots on his father's side.

Justification for Emergency Powers Does Not Hold Water

14. (SBU) According to Jackou, President Tandja's argument that the country's independence and institutions were threatened was fallacious. He explained that Niger is not in a state of war or facing any foreign threats, and that all government institutions are functioning as normal. He went on to say that Tandja's decision to evoke Article 53, ruling by presidential decree, was not justified. He added that under the current circumstances, with the absence of the National Assembly to determine the duration of the decree and monitor reasonable adherence by the executive, there is no legal mechanism to permit the constitution's intent to be followed.

Opposition Group Plans to Boycott CENI

15. (SBU) On July 3, the Independent National Electoral Commission (CENI) president informed the body's plenary that he would organize the constitutional referendum as requested by the government. The Front for the Defense of Democracy (FDD), a group of political parties, labor unions, and civil society organizations, challenged the decision and stated that they would pull their members out of CENI to deny legitimacy to the referendum. Asked if his party would follow FDD, Jackou responded that his party would not resign from the CENI; he saw the FDD's decision as a bad move that would give a blank check to the government to proceed as it wishes. Jackou thought to block the referendum the opposition should stay within CENI to play the role of inside opposition while ensuring upcoming legislative and local elections are administered properly.

Tandja's Maneuvers Against Ousted Parliament

16. (SBU) Jackou criticized recent moves by President Tandja to have
NIAMEY 00000511 002.2 OF 002

former National Assembly members pay back excess allowances that the Constitutional Court had ruled improper. According to Jackou, President Tandja was upset that deputies had appealed directly to the Constitutional Court for advice regarding how they could stop the president from organizing the constitutional referendum. In addition, Tandja did not appreciate the National Assembly's move last January to create an investigative commission on the allocation of mining permits and management of revenues deriving from Chinese mineral concessions. According to Jackou, President Tandja feared some deputies intended to investigate his family and friends who were beneficiaries of such permits. (Note: Jackou was among many former National Assembly members who were summoned by the Ministry of Justice through the gendarmerie to reimburse unduly received allowances. He noted that the Treasury had not deducted the amounts from their salaries, as it could have, in part to have something to use as a pretext to dismiss the body. End note.)

International Community Should Increase Pressure

17. (SBU) The PNA Deputy Secretary General expressed her concern over the current political situation in Niger. She stated to preserve democratic principles and the rule of law, the international community should pressure the government to back down. Jackou added that it was up to all Nigeriens to step up their action. He wryly noted, "How could we continue fighting on legal grounds while the government clearly acts outside the legal framework."

ALLEN